

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JACKIE FISHER

Plaintiff,

VS.

UNIVERSITY OF TEXAS
MEDICAL BRANCH and
DAVID WATSON

Defendants.

CIVIL ACTION NO. 4:08-CV-01273

Jury Demanded

DEFENDANTS' AMENDED OBJECTIONS TO PLAINTIFF'S EXHIBITS

No.	Plaintiff's Description	Defendants' Objections
P-3	E-mail Exchange re Pipkin and Drake (Feb. 2005)	Authenticity (highlighting) Multiple, unrelated documents
P-4	E-mail Exchange re Parker, Brophy, and Wright (April 19, 2005)	Multiple, unrelated documents Authenticity (underlining)
P-6	Memo Watson to Gotcher re Request for Agency Staff (July 25, 2005)	Authenticity (handwriting)
P-7	E-mail Watson to Gotcher, Radar & Melton (Jan. 9, 2006); Notice to Staff of Meetings (Jan. 9, 2006)	Authenticity (handwriting) Multiple, unrelated documents
P-8	Fisher's Hostile Environment Grievance against Watson (April 10, 2006)	Hearsay
P-11	E-mail Exchange between Fisher and Watson (March 27, 2006)	Authenticity (handwriting, underlining)
P-14	Fisher's 2nd Harassment and	Hearsay

	Hostile Environment Grievance against Watson (April 11, 2006)	
P-15	Appeal of Demotion (April 24, 2006)	Hearsay
P-18	Fisher Appeal of Demotion to Assistant Nurse Manager (May 11, 2006)	Hearsay
P-20	EEOC Charge (June 2, 2006)	Hearsay
P-24	Appeal of Demotion to Pemberton (July 3, 2006)	Hearsay Multiple, unrelated documents Authenticity (handwriting)
P-25	UTMB Position statement to the EEOC (Aug. 8, 2006)	Hearsay
P-26	Fisher's Quarterly Evaluation (March 7, 2006)	Hearsay (J. Fisher response)
P-27	Historical Detail Turnover Report 2005 & 2006	Authenticity (handwriting)
P-30	Vacancy Rates Watson's District Facilities 2005-2006	Hearsay Authenticity (internet documents)
P-33	Letter from Nurse Sarah Benavides re 2004 Incident (April 11, 2006)	Hearsay Authenticity
P-34	Fisher's Meeting Agendas Estelle Unit (2005 & 2006)	Relevance Hearsay Multiple, unrelated documents Authenticity (handwriting; underlining)
P-35	Kim Roddey's Meeting Agendas Wynne Unit (2005 & 2006)	Relevance Multiple, unrelated documents Authenticity (handwriting)
P-36	Fisher's Letter to Radar re Time frames for Grievances and Appeal (May 3, 2006)	Hearsay
P-37	UTMB Grievance Policy IHOP 3.10.3.	Hearsay

		Authenticity (internet documents)
P-38	UTMB Appeals Policy IHOP 3.10.2.	Hearsay Authenticity (internet documents)
P-39	UTMB Discipline & Dismissal Policy IHOP 3.10.1.	Hearsay Authenticity (internet documents)
P-40	Fisher Discrimination Grievance (Sept. 11, 2006)	Relevance (as to Discrimination and Retaliation claims; outside statutory period) Hearsay
P-41	Letter re Grievance (August 31, 2006)	Hearsay Authenticity
P-42	Fisher Retaliation Grievance (Oct. 9, 2006)	Relevance (as to Discrimination and Retaliation claims; outside statutory period) Hearsay
P-43	Watson's Responses to OEO&D (Dec. 2006)	Authenticity (handwriting)
P-44	Melvin Williams OEO&D Findings re Fisher's Discrimination Complaints (February 7, 2007)	Hearsay Authenticity (handwriting, underlining)
P-47	Watson Letter of Expectation (Sept. 17, 2004)	Relevance Multiple, unrelated documents Authenticity (handwriting)
P-48	Notice of Peer Review (March 21, 2005)	Hearsay Authenticity (handwriting, underlining) Confidential offender information
P-49	UTMB Peer Review Policy (Aug. 1995)	Relevance Authenticity (highlighting, underlining)
P-50	Provisions of § 217.15 re Minor Incidents	Hearsay Authenticity
P-51	Email re Inmate Death (May 25, 2006)	Relevance Hearsay Confidential offender information

P-52	Email re Inmate Death (May 26, 2006)	Relevance Hearsay Confidential offender information
P-53	Email re Inmate Death (June 30, 2006)	Relevance Hearsay Confidential offender information
P-54	Email re Inmate Death (August 9, 2006)	Relevance Hearsay Confidential offender information
P-55	Email re Inmate Death (September 18, 2006)	Relevance Hearsay Confidential offender information
P-56	Email re Inmate Death (September 29, 2006)	Relevance Hearsay Confidential offender information
P-59	BNE Letter (May 19, 2005)	Confidential offender information
P-60	Death Summary (Dec. 15, 2005)	Relevance Hearsay Confidential offender information
P-61	BNE Letter (Jan. 13, 2006)	Relevance Hearsay Confidential offender information
P-62	Fisher Response (February 10, 2006)	Relevance Hearsay Confidential offender information
P-63	Fisher Response to BNE (May 12, 2006)	Relevance Hearsay Authenticity (handwriting) Confidential offender information
P-68	First Amended EEOC Charge (April 3, 2007)	Hearsay

P-69	UTMB Position Statement (May 14, 2007)	Hearsay Authenticity (handwriting)
P-70	EEOC Letter of Determination Discrimination & Retaliation (November 6, 2007)	Prejudice versus probative value Hearsay
P-73	Email from Marilyn Peters (04-23-04)	Relevance Hearsay
P-75	Performance Evaluation (06-06)	Hearsay (evaluation response)
P-76	Quarterly Evaluation (03-07-06)	Hearsay (evaluation response) Authenticity (handwriting)
P-78	Performance Evaluation (06-04)	Relevance Authenticity (underlining)
P-79	Quarterly Evaluation (12-10-04)	Relevance
P-80	Quarterly Evaluation (12-01-03)	Relevance Authenticity (underlining)
P-81	Performance Evaluation (04-03)	Relevance Multiple, unrelated documents
P-82	Quarterly Evaluation (03-28-02)	Relevance *To be withdrawn by Plaintiff
P-83	Quarterly Evaluation (12-18-01)	Relevance *To be withdrawn by Plaintiff
P-84	Performance Evaluation (06-01)	Relevance
P-87	Grievance (10-09-06)	Relevance (as to Discrimination and Retaliation claims; outside statutory period) Duplicative of P-42 Hearsay
P-88	Grievance (09-11-06)	Relevance (as to Discrimination and Retaliation claims; outside statutory period) Duplicative of P-40 Hearsay
P-89	Paid by Letter (10-26-06)	Relevance

P-92	Performance Evaluation (04-02)	Relevance
P-93	BNE Minor Incidents	Authenticity (internet document) Authenticity (underlining)
P-94	Letter to Peer Review (04-13-05)	Hearsay Confidential offender information
P-96	Grievance (03-16-06)	Relevance (outside statutory period) Hearsay
P-100	Re Darby (03-30-06)	Multiple, unrelated documents Relevance Authenticity
P-101	Fisher Current Pay Stub (01-29-10)	Relevance
P-102	Certified Copy of EEOC File	Hearsay

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of Defendants' Amended Objections to Plaintiff's Exhibits was served via the Court's ECF system on March 2, 2010, to:

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